

Application Serial No. 09/961,297
Office Action dated August 30, 2005
Response dated November 2, 2005

REMARKS

Regarding Section 3 of the Official Action, the Applicants confirm that the subject matter of the various claims were commonly owned at the time the inventions were made.

With respect to Section 4 of the Official Action, in which claims 1, 2, 5, 8-17, 19-22, 24-26, 28-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arao (US#6,667,990) in view of Pick et al. (US#6,826,200), we point out that the Pick patent US#6,826,200 cannot be relied upon to maintain the rejection pursuant to 35 U.S.C. 103(c). It is pointed out that both the Pick patent and the present application are both assigned to Nortel Networks Ltd.

Accordingly withdrawal of the rejection is hereby solicited and allowance of the application is requested.

No fee is believed due for this submission. However, Applicant authorizes the Commissioner to debit any required fee from Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP. The Commissioner is further authorized to debit any additional amount required, and to credit any overpayment to the above-noted deposit account.

Respectfully submitted,

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